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In re Application of :  
Gerd Gellisen et al :  
Serial No.: 10/042,059 : PETITION DECISION  
Filed: October 25, 2001 :  
Attorney Docket No.: 029474-5007 :


This is in response to the petition under 37 CFR 1.181, filed August 1, 2003, for withdrawal of abandonment of the above identified application based on failure to receive an Office action. The delay in acting on this petition is regretted.

A review of the file history shows that the examiner mailed an Office action to applicants on November 6, 2002, setting a three month shortened statutory period for reply. Upon failure to receive a reply the Office mailed a Notice of Abandonment to applicants on July 3, 2003. Applicants state that the Office action was never received and provide a statement and copies of docket records establishing that the Office action was never received. In view of the evidence presented the Notice of Abandonment is withdrawn and the application is restored to pending status with the mailing of this decision.

The petition is **GRANTED**.

**The application will be forwarded to the examiner for mailing of a new Office action.**

Should there be any questions about this decision please contact William R. Dixon, Jr., by letter addressed to Director, TC 1600, P.O. Box 1450, Alexandria, VA 22313-1450, or by telephone at 571-272-0519 or by facsimile sent to the general Office facsimile number.

  
John Doll  
Director, Technology Center 1600